

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD DECEMBER 18, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18th day of December, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Brown. A moment of silence was dedicated to John Thompson. Twenty-seven seconds of silence were dedicated to the victims in the recent Newtown, Connecticut shooting. Following the moment of silence, Videographer McKenzie Payne led the salute to the flag of the United States of America.

1. **ITEM A-1 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-14.

(a) Rescinded approval of the Minutes of the Board of Supervisors meeting held on November 27, 2012; and (b) Approved Minutes of the Board of Supervisors meeting held on November 27, 2012, as amended, and December 11, 2012.

Adopted Resolution No. 2012-157, approving the sale of surplus real property owned by the former Lake County Redevelopment Agency (3478 Boggs Avenue, Nice - APN 032-111-33).

Adopted Resolution No. 2012-158, accepting conveyance of real property located in Lucerne, California.

Approved Agreement between the County of Lake and Lake Family Resource Center for grant writing services, through December 31, 2013, and authorized the Chair to sign.

Approved advanced step hiring of extra help Office Assistant II Claudia Everett, due to applicant's extraordinary qualifications (5th step salary range).

Approved Agreement between the County of Lake and Taber Consultants for geotechnical investigations for three HBP Bridge Replacement Projects: Clayton Creek Bridge at Clayton Creek Road (14-0031); Cooper Creek Bridge at Witter Springs Road (14C-0119); Clover Creek Bridge at First Street (14-0015); and Pedestrian/Bicycle Bridge Project - Bridge Arbor Bikeway, for an amount not to exceed \$117,800, and authorized the Chair to sign.

Approved Application for Financial Aid with the Department of Boating and Waterways for \$531,834.74, to fund the Marine Patrol Program (Budget Unit 2205), and authorized the Sheriff to sign the subvention program application.

(a) Adopted Resolution No. 2012-159, amending Resolution No. 2012-107 establishing position allocations for Fiscal Year 2012-2013, Budget Unit No. 2302, Probation Officer - Juvenile Court (adding one (1) Welfare Fraud Investigator Supervisors, adding one (1) Welfare Fraud Investigator/Trainee and deleting one (1) Senior Deputy Probation Officer allocation); and (b) Adopted Resolution No. 2012-160, amending Resolution No. 2012-107 establishing position allocations for Fiscal Year 2012-2013, Budget Unit No. 5011, Department of Social Services (adding one (1) Staff Services Analyst III position, deleting one (1) Welfare Fraud Investigator Supervisor, deleting (1) Welfare Fraud Investigator/Trainee and deleting one (1) Social Worker III/Social Worker III-CPS/Social Worker III-CalWORKs position).

Approved First Amendment to Agreement between the County of Lake and Sacramento Children's Home for FY 2012-13 specialty mental health services (an increase of \$0.01 to all services types as of October 1, 2012), with no increase to the maximum amount, and authorized the Chair to sign.

Approved advanced step appointment of Barbara Thompson to Social Worker III-CPS, due to applicant's extraordinary qualifications (career step salary range).

Approved Agreement between the County of Lake and Bid4Assets, Inc., for public auction services through December 31, 2013, for an amount not to exceed \$25,000, and authorized the Chair to sign.

Sitting as the Lake County Air Quality Management District Board of Directors, adopted Resolution No. 2012-161 authorizing the District to continue participation in the Lower Emission School Bus Program with San Joaquin Unified Air Pollution Control District continuing to implement the Program within the District, and accept additional funds from Modoc County Air Pollution Control District in the amount of \$44,702.47.

Sitting as the Lake County Air Quality Management District Board of Directors, approved Memorandum of Understanding between Lake County Air Quality Management District and North Coast Unified Air Quality Management District defining the scope of activities for the expenditure of California Air Resources Board Carl Moyer Memorial Incentive Grant funds from Program Year 10 (transferring the remaining Carl Moyer Year 13 funds to North Coast Unified Air Quality Management District), and authorized the Air Pollution Control Officer to sign.

(a) Adopted Certificates of Commendation for the members of the Middletown High School Girls Soccer Team for an undefeated 2012 season; (b) Adopted Proclamations of appreciation for Cliff Swetnam and Michael VanderBoon for their service to the Lake County Planning Commission; and (c) Adopted Proclamation of appreciation for Ken Brown for his years of service to the County of Lake.

2. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

Change Order No. 15 - Middletown Senior Center and Library - This change order addresses the following thirteen items: 14 additional calendar days, install 4 power and 12 data receptacles in walker duct, installation of rain water leaders, credit for signage deduction, additional painting, credit for window covering deduction, replace pantry ADA sink, restroom floor tile, credit for aluminum stair nosing, change and relocate lighting in kitchen and hallway, install fire alarm system in HVAC duct work, install bollards and concrete for PG&E and library alcove book shelving.

Deputy County Administrative Officer Eric Seely presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Change Order No. 15, for an increase of \$14,154.30, RE West Builders, Inc., and authorized the Chair to sign.

PUBLIC INPUT - CJ LeBrun spoke regarding IHSS providers.

Jackie Robinson spoke regarding IHSS providers.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 18, 2012

3. **ITEM A-12 - Consideration of proposed Agreement between the County of Lake and the City of Clearlake to provide funding for the renovation and subsequent operation of a Visitor Information Center at 14295 Lakeshore Drive, Clearlake, California** - County Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and the City of Clearlake to provide funding for the renovation and subsequent operation of a Visitor Information Center at 14295 Lakeshore Drive, Clearlake, California, and authorized the Chair to sign.

4. **ITEM A-5 - 9:15 A.M. - (a) Presentation of Certificates of Commendation to the Middletown High School Girls Soccer Team for an undefeated 2012 season; (b) Presentation of Proclamations of appreciation to Cliff Swetnam and Michael VanderBoon for their service to the Lake County Planning Commission; and (c) Presentation of Proclamation of appreciation to Ken Brown for his years of service to the County of Lake** - (b) Supervisor Comstock read the Proclamation into the record and presented it to Michael van der Boon, who spoke.

Supervisor Farrington read the Proclamation into the record and presented it to Cliff Swetnam, who spoke.

(c) Chair Brown read the Proclamation into the record and presented it to Ken Brown, who spoke. Public Works Director Scott DeLeon was present and also spoke. Many staff members of the Public Works Department were present.

5. **ITEM A-13 - Consideration of proposed Resolution approving the Amendment to the Standard Agreement between the County of Lake and the California Department of Mental Health and the California Department of Health Care Services for the period between April 1, 2012 through April 30, 2013 for specialty mental health services** - Behavioral Health Director Kristy Kelly presented the staff report.

Supervisor Smith offered Resolution No. 2012-162, and it was passed by roll call vote (5 ayes).

6. **ITEM A-14 - (a) Consideration of request to waive the Consultant Selection Policy; and (b) Consideration of request to award contract for the provision of shelving for the Middletown Library to Hopley, and authorize the County Librarian/Asst. Purchasing Agent to issue the purchase order** - County Administrative Officer Jeff Rein presented the staff report.

(a) On motion of Supervisor Comstock and by vote of the Board (5 ayes), waived the Consultant Selection Policy, determining it would not benefit the County.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), awarded the contract for the provision of shelving for the Middletown Library to Hopley, and authorized the County Librarian/Asst. Purchasing Agent to issue the purchase order.

7. **ITEM A-16 - (a) Consideration of request to waive Travel Policy section regarding time limit for submitting travel reimbursement claims; and (b) Consideration of request to approve late travel claims** - (a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the Travel Policy section regarding time limit for submitting travel reimbursement claims.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the late travel claim.

8. **ITEM A-6 - 9:45 A.M. - (a) Update regarding the nuisance abatement actions taken at 10337 Pinewood Way, Whispering Pines, CA (APNs 050-261-16, 050-261-12 & 14 - Joan Fontaine and Dorothy Fontaine); and (b) Consideration of request for Board direction regarding the final completion deadline for all repairs to the dwelling** - Community Development Director Rick Coel, Building Inspector Brandon Holleran, Environmental Health Director Ray Ruminski, Joan Fontaine and Michael Wilson were sworn in by the Clerk.

(a) Mr. Coel presented the staff report.

This portion of the item was informational only. No Board action was taken on this portion of the item.

(b) Mr. Wilson and Ms. Fontaine spoke.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), directed staff to stabilize the property erosion risks, stabilize the structure, clean the property and allow no further construction or activity on the property until the winter weather conditions improve; and to authorize staff discretion to conduct summary abatement should conditions on the property change significantly in the meantime.

9. **ITEM A-7 - 10:00 A.M. - Presentation of report on assessment of Lake County Office of Emergency Services (OES) and request for Board direction relating to that assessment; and consideration of request for authorization to recruit for OES Coordinator** - County Administrative Officer Matt Perry, Deputy Administrative Officer Debra Sommerfield, Deputy Administrative Officer Alan Flora and Captain Chris Macedo were present.

Mr. Perry presented the report.

There was Board consensus to direct staff to create a task force to provide in-depth review and analysis of the options presented in the report, and return to the Board by mid-January with recommendations for OES organizational structure.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), confirmed that the option to combine Central Dispatch with the Office of Emergency Services is not a viable option; and directed Human Resources to begin recruitment of an OES Coordinator immediately, with the understanding that the official reporting structure (department) for this position is currently under review.

10. **ITEM A-15 - Carried over from December 11, 2012 - Consideration of proposed Agreement for the Adult Detention Facility Needs Assessment Study for the Lake County Jail/Hill Road Facility** - Deputy Administrative Officer Jeff Rein, Undersheriff Pat Turturici and Captain Chris Macedo were present.

Mr. Rein presented the staff report.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Criminal Justice Research Foundation for the Adult Detention Facility Needs Assessment Study for the Lake County Jail/Hill Road Facility, in the amount of \$93,990, and authorized the Chair to sign.

11. **ITEM A-11 - (a) Presentation of Health Care Reform Update and (b) Consideration of "Policy Regulating the Use of Extra Employees to comply with the Patient Protection and Affordable Care Act"** - County Administrative Officer Matt Perry, Human Resources Director Kathy Ferguson, Undersheriff Pat Turturici and Captain Chris Macedo were present.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 18, 2012

(a) Mr. Perry presented the staff report.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the "Policy Regulating the Use of Extra Employees to comply with the Patient Protection and Affordable Care Act".

12. ITEM A-9 - 10:45 A.M. - Consideration of request to explore options for County response to proposed Lucerne area water rate increase - Supervisor Rushing introduced the item.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: John Parker, Joan Moss, Gerry Morehouse, Craig Buck and Lenny Mathews. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to research and analyze all available options for relief of the community of Lucerne from continual and outrageous water rate increases, including the County's purchase of the existing water system from California Water Service Company, and to return options to the Board for its consideration.

13. ITEM A-8 - 10:30 A.M. - Consideration of request to direct staff to develop a strategic plan for the paper lot subdivision properties above Nice, Lucerne and Clearlake Oaks - Community Development Director Rick Coel was present.

Supervisor Rushing introduced the item.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: John Parker and Lenny Mathews. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to form a committee, including Supervisor Rushing, to consider options and return to the Board with an outline and strategic plan for the paper lot subdivision properties above Nice, Lucerne and Clearlake Oaks.

After a brief recess, the Board reconvened into Regular Session at 12:25 p.m.

14. ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator: (a) Agency Negotiator: Carol Huchingson and F. Buchanan (b) Employee Organization: California United Homecare Workers Union Local 4034 - County Counsel Anita Grant reported the first portion of this item would not take place today.

Chair Brown announced the Board would now go into Closed Session for the second portion of this item.

The Board reconvened into Regular Session with no action taken at 12:37 p.m.

There being no further business, the Board of Supervisors adjourned at 12:37 p.m..

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board